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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Starnier et al.

Attorney Docket No.: ICH1P006

Application No.: 09/915,371

Examiner: Dang, H.

Filed: July 27, 2001

Group: 2873

Title: MAGNETIC MOUNT EYEGLASSES
DISPLAY SYSTEM

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on October 7, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: _____


C. Douglass Thomas

RESPONSE TO ELECTION REQUIREMENT RECEIVED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

OCT 15 2004


TECH CENTER 2800

Dear Sir:

In response to the Requirement for Election of Species dated September 7, 2004, Applicants hereby elect, with traverse, the species pertaining to claims 3-5 for prosecution in the above-identified patent application. Since, as the Examiner notes, claim 1 is generic, examination of claims 1-5 should be forthcoming. Nevertheless, even if claim 1 were not generic, all claims could be examined in a single application without undue burden. Accordingly, it is respectfully requested that the Examiner reconsider the requirement for election of species.

If any fees are due in connection with the filing this Response to Restriction Requirement, the Commissioner is hereby authorized to charge such fees to Deposit Account 500388 (Order No. ICH1P006).

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP


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